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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT TACOMA**

9 EMPLOYEE PAINTERS' TRUST; WESTERN
10 GLAZIERS RETIREMENT FUND; DISTRICT
11 COUNCIL NO. 5 APPRENTICESHIP AND
12 TRAINING TRUST FUND; THE PAINTERS
13 AND ALLIED TRADES LABOR
14 MANAGEMENT COOPERATION
15 INITIATIVE; WASHINGTON
16 CONSTRUCTION INDUSTRY SUBSTANCE
17 ABUSE PROGRAM; WESTERN
18 WASHINGTON GLAZIERS ORG FUND;
19 WESTERN WASHINGTON GLAZIERS MRP,
20 acting by and through their designated
21 fiduciaries Denis Sullivan and Stacey Grund;
22 INTERNATIONAL UNION OF PAINTERS
23 AND ALLIED TRADES DISTRICT COUNCIL
24 NO. 5,

18 Plaintiffs,

19 vs.

20 PACIFIC NORTHWEST CONTRACTORS,
21 INC., a Washington corporation; DANIEL A.
22 JANKANISH, individually; STEVE COOPER,
23 individually; ALLIANCE WINDOW AND
24 DOOR LLC, a Washington limited liability
25 company; DAVID A. JANKANISH,
individually; AMERICAN CONTRACTORS
INDEMNITY COMPANY, a California
corporation; RLI INSURANCE COMPANY, an
Illinois corporation; CITY OF TACOMA, a
municipality; FISHER & SONS, INC. dba JTM

Case No.: 3:13-cv-05018-BHS

**STIPULATED MOTION AND ORDER
FOR DISMISSAL WITH PREJUDICE**

[Defendant American Contractors Indemnity
Company]

Note on Motion Calendar:
March 25, 2014

ORDER

CONSTRUCTION, a Washington Corporation;
HARTFORD FIRE INSURANCE COMPANY,
a Connecticut corporation; CENTRAL
WASHINGTON UNIVERSITY, a public
University; KILLIAN CONSTRUCTION CO., a
Missouri corporation; SAFECO INSURANCE
COMPANY OF AMERICA, a New Hampshire
corporation; DEPARTMENT OF ENTERPRISE
SERVICES, an administrative agency for the
State of Washington; TIGER
CONSTRUCTION, LTD, a Washington
corporation; TRAVELERS CASUALTY AND
SURETY COMPANY OF AMERICA, a
Connecticut corporation; EVERETT SCHOOL
DISTRICT, SNOHOMISH COUNTY, STATE
OF WASHINGTON, a Washington municipal
corporation; SYNERGY CONSTRUCTION,
INC., a Washington corporation; FIDELITY
AND DEPOSIT OF MARYLAND, a Maryland
corporation;

Defendants.

Plaintiffs Employee Painters' Trust; Western Glaziers Retirement Fund; District Council No. 5
Apprenticeship And Training Trust Fund; The Painters and Allied Trades Labor Management
Cooperation Initiative; Washington Construction Industry Substance Abuse Program; Western
Washington Glaziers Org Fund; Western Washington Glaziers MRP, acting by and through their
designated fiduciaries Denis Sullivan and Stacey Grund; and International Union of Painters and Allied
Trades District Council No. 5 ("Plaintiffs"), by and through their counsel, The Urban Law Firm and
Christensen James & Martin, and Defendant American Contractors Indemnity Company ("Defendant"),
by and through its counsel of record, hereby stipulate as follows: (1) Defendants stipulate to withdraw
their Motion for Summary Judgment (Dkt. No. 89); and (2) Plaintiffs stipulate to dismiss their claims
(Dkt. No. 1) against Defendant with prejudice, each side to bear its own fees and costs.

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ORDER

THE URBAN LAW FIRM
and
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Counsel for Plaintiffs

1 Dated: March 25, 2014

THE URBAN LAW FIRM

s/ Michael A. Urban

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Attorney for Plaintiffs

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7 Dated: March 25, 2014

YUSEN & FRIEDRICH

s/ John S. York, Jr.

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*Attorney for Defendant American Contractors
Indemnity Company*

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17 IT IS SO ORDERED THIS 25th day of March, 2014.

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BENJAMIN H. SETTLE
United States District Judge

ORDER

**THE URBAN LAW FIRM
and
CHRISTENSEN JAMES & MARTIN**
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